

Hinckley, Allen & Snyder LLP

Attorneys At Law

43 NORTH MAIN STREET □ CONCORD, NEW HAMPSHIRE 03301
603-225-4334 □ FAX 603-224-8350 □ www.haslaw.comRECEIVED
CENTRAL FAX CENTER

AUG 01 2005

FACSIMILE TRANSMITTAL SHEET

CONFIDENTIALITY NOTICEFROM: Norma E. Henderson, Esq.DATE: August 1, 2005NUMBER OF PAGES TRANSMITTED
(INCLUDING COVER SHEET) 13

If you did not receive the indicated number of pages or if any pages are illegible, please call us immediately at: (603) 225-4334

This facsimile transmission and the accompanying documents contain legally privileged confidential information. The information is intended only for the use of the recipient named below. If you are not an intended recipient, you are hereby notified that any disclosure, copying, distribution, or exploitation of, or the taking of any action in reliance on, the contents of this facsimile is strictly prohibited. If you have received this facsimile in error, please notify us immediately by telephone to arrange for the return of the original documents to us at our expense.

TO: Examiner Seung H. Lee, Art Unit 2876FIRM: U.S. Patent and Trademark OfficeRE: Response to Office Action - Pat. App. Ser. No. 10/625,789PHONE
NUMBER: 571-272-2401FAX
NUMBER: 703-872-9306

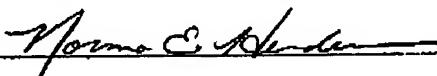
NOTES/COMMENTS:

Amendment and Response to Office Action, mailed 6/30/2005, for Patent Application Ser. No. 10/625,789 (Docket No. 056754/0124941).

The following items are being sent herewith:

Transmittal form (1 page)
Fee transmittal for new claims (1 page- 2 copies)
Response to Office Action (9 pp)

I hereby certify that this correspondence is being facsimile transmitted to the USPTO on 8/1/2005.



Norma E. Henderson

RECEIVED
OIE/IAP

AUG 05 2005

1500 FLEET CENTER □ PROVIDENCE, RHODE ISLAND 02903-2393 □ 401-274-2000 □ FAX 401-277-9600

28 STATE STREET □ BOSTON, MASSACHUSETTS 02109-1775 □ 617 345-9000 □ FAX 617 345-9020

43 NORTH MAIN STREET □ CONCORD, NEW HAMPSHIRE 03301 □ 603-225-4334 □ FAX 603-224-8350

PAGE 1/13 * RCVD AT 8/1/2005 8:16:06 PM [Eastern Daylight Time] * SVR:USPTO-EFXRF-6/2 * DNI:8729306 * CSID:6034348361 * DURATION (mm:ss):06:46

Pg 4 wasn't received

2/13

PTO/SB/21 (09-04)

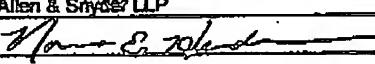
Approved for use through 07/31/2008. OMB 0651-0031

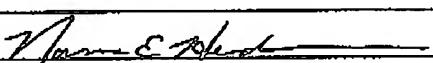
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paper Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

| | | | |
|--|----|------------------------|-------------------|
| TRANSMITTAL FORM | | Application Number | 10/625,789 |
| | | Filing Date | July 23, 2003 |
| | | First Named Inventor | Fletcher, Richard |
| | | Art Unit | 2876 |
| | | Examiner Name | Lee, Seung H. |
| Total Number of Pages in This Submission | 12 | Attorney Docket Number | 056754/0124941 |

| ENCLOSURES (Check all that apply) | | |
|--|---|--|
| <input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Requests for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input type="checkbox"/> Other Enclosure(s) (please identify below): |
| Remarks | | |

| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT | | | |
|--|---|----------|--------|
| Firm Name | Hinckley, Allen & Snyder LLP | | |
| Signature |  | | |
| Printed name | Norma E. Henderson | | |
| Date | August 1, 2005 | Reg. No. | 39,219 |

| CERTIFICATE OF TRANSMISSION/MAILING | | | |
|---|---|------|----------------|
| I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below. | | | |
| Signature |  | | |
| Typed or printed name | Norma E. Henderson | Date | August 1, 2005 |

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

In you need assistance in completing the form, call 1-800-PTO-9199 and select option 2

3/13

| AMENDMENT FEE TRANSMITTAL | | | | Attorney Docket No: 056754/0124941 | | |
|--|-------------------------------------|---|--|---------------------------------------|-------|-------------------|
| Application Serial Number: 10/625,789 | | Filing Date: 7/23/2003 | | Examiner: Lee, Seung H. | | Art Unit: 2876 |
| Invention: Methods and Apparatus for Counting and Positioning Using Resonant Tags Applicants: Fletcher et al | | | | | | |
| TO THE COMMISSIONER FOR PATENTS: Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below. | | | | | | |
| CLAIMS AS AMENDED | | | | | | |
| | CLAIMS REMAINING AFTER AMENDMENT | | HIGHEST NUMBER PREVIOUSLY PAID FOR | NO. OF EXTRA CLAIMS PRESENT | RATE | ADDITIONAL FEE |
| TOTAL CLAIMS | 50 | MINUS | 48 | 2 | \$50 | \$ 100.00 |
| INDEP. CLAIMS | 2 | MINUS | 4 | 0 | \$200 | \$ 0.00 |
| Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of <u>6/30/2005</u> to and through <u> </u> , comprising an extension of the shortened statutory period of: <input type="checkbox"/> one month (\$120.00) <input type="checkbox"/> three months (\$1,020.00) <input type="checkbox"/> two months (\$450.00) <input type="checkbox"/> four months (\$1,590.00) | | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT | | | | | | |
| <input type="checkbox"/> Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted. <input type="checkbox"/> A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed. <input type="checkbox"/> A check in the amount of \$ <u> </u> is attached. <input checked="" type="checkbox"/> Charge \$ <u>100.00</u> to Deposit Account <u>502834</u> . <input type="checkbox"/> No additional fee is required. | | | | | | |
| <u>August 1, 2005</u> Date | |  Norma E. Henderson Reg. No. 39,219 | | | | |

FROM : ***** FAX SYSTEM

PHONE NO. : 603 434 8361

Aug. 01 2005 07:25PM P5

5/13

RECEIVED
CENTRAL FAX CENTER
AUG 01 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fletcher et al

Application No.: 10/625,789

Group Art Unit: 2876

Filed: 7/23/2003

Examiner: Lee, Seung H.

Title: Methods and Apparatus for Counting and
Positioning Using Resonant Tags

Attorney Docket No.: 056754/0124941

Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed June 30, 2005, the Applicants submit the following:

Preliminary Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

08/05/2005 SSITHIB1 00000009 502834 10625789

01 FC:1202 100.00 DA